

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Georgia Rochon	Team: Squad #2	CCRB Case #: 201900319	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 12/19/2018 2:35 PM	Location of Incident: 101st Precinct Stationhouse	Precinct: 101	18 Mo. SOL 6/19/2020	EO SOL 2/3/2021	
Date/Time CV Reported Fri, 01/11/2019 11:45 AM	CV Reported At: CCRB	How CV Reported: In-person	Date/Time Received at CCRB Fri, 01/11/2019 11:45 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POF Tamika Jardine	23884	946050	101 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. SGT James Woods	03824	947618	101 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POF Tamika Jardine	Abuse: Police Officer Tamika Jardine did not process § 87(2)(b) s complaint regarding an officer.	

Case Summary

On January 11, 2019, § 87(2)(b) filed this complaint with the Civilian Complaint Review Board (CCRB) in person.

On December 19, 2018, at approximately 2:30 p.m., § 87(2)(b) entered the 101st Precinct stationhouse and informed Police Officer Jardine of the 101st Precinct, who was working as the Telephone/Switchboard (T/S) Operator, that he wished to file a complaint against a police officer. Police Officer Jardine told § 87(2)(b) they did not take complaints at the 101st Precinct stationhouse. When § 87(2)(b) reiterated that he wanted to file a complaint, Police Officer Tamika Jardine said she would find someone to take it for him. § 87(2)(b) waited for approximately 20 minutes before asking if there was another means through which he could file his complaint. Police Officer Jardine directed § 87(2)(b) to a plaque in the hallway with the CCRB's phone number (Board Review 01) and told § 87(2)(b) that he could call the number on the sign to file his complaint (**Allegation A—Abuse of Authority—Refusal to process civilian complaint—§ 87(2)(g)**

Findings and Recommendations

Allegation (A) -- Abuse of Authority: Police Officer Tamika Jardine did not process § 87(2)(b)'s complaint regarding an officer.

§ 87(2)(b) was interviewed at the CCRB on January 11, 2019. Police Officer Jardine was interviewed on February 11, 2019. Sergeant James Woods was interviewed on February 25, 2019.

§ 87(2)(b) stated that he arrived at the 101st Precinct stationhouse and told an officer sitting at a desk, Police Officer Jardine, that he wished to file a complaint. Police Officer Jardine was sitting next to Sergeant Woods, who did not speak to § 87(2)(b) at any point during the incident. § 87(2)(b) did not recall whether he specified that his complaint was against a police officer, but noted that Police Officer Jardine did not request any additional information about the nature of his complaint. Police Officer Jardine told § 87(2)(b) that they do not take complaints at the 101st Precinct stationhouse. § 87(2)(b) asked how that could be, and Police Officer Jardine said, "We just don't." § 87(2)(b) reiterated that he wanted to file a complaint, and Police Officer Jardine said, "Let me see if I can get you someone," and spoke to someone over the phone. § 87(2)(b) did not hear what Police Officer Jardine said while on the phone.

§ 87(2)(b) waited for approximately 20 minutes and then told Police Officer Jardine he could not wait much longer. Police Officer Jardine stated that the person she had spoken to was "tied up." She told § 87(2)(b) that he could file his complaint over the phone and directed him to a plaque in the hallway with the CCRB phone number printed on it (Board Review 01). § 87(2)(b) took a photograph of this plaque with his cell phone and left the stationhouse.

Police Officer Jardine worked as the T/S Operator during Tour 2 on December 19, 2019 (Board Review 04). Police Officer Jardine did not recall this incident. She stated that when a civilian seeks to file a complaint against an officer, her standard procedure is to ask for information about

the nature of the complaint and then provide a supervisor with this information. If a supervisor is not available, Police Officer Jardine provides the civilian with the CCRB phone number. Police Jardine stated that officers at the 101st Precinct do not take complaints against other officers. She would not provide a civilian with a Civilian Complaint Report or otherwise process a civilian complaint against a police officer because she believed that as an officer she did not take complaints against other officers.

Sergeant Woods worked as the Desk Officer during Tour 2 on December 19, 2018 (Board Review 04). He did not recall this incident, but stated that when a civilian seeks to file a complaint at the 101st Precinct stationhouse, it is the responsibility of the officer receiving the complaint against an officer to provide the civilian with the proper paperwork and assist the civilian in filing the complaint if they wish to do so at the stationhouse. Typically, the Telephone/Switchboard operator would have contact with the civilian first, and would then be responsible for processing the complaint.

§ 87(2)(g)

On January 17, 2019, Detective Crandon of the Internal Affairs Bureau conducted a search for any complaint referred to IAB by an officer on § 87(2)(b)'s behalf. He found no such complaint.

NYPD Patrol Guide Procedure 207-31 (Board Review 05) lays out the proper procedure for the processing of civilian complaints, and does not require that supervisors process these complaints. Rather, it states that any officer receiving a complaint from a civilian alleging misconduct by a uniformed member of service is obligated to "Report all misconduct complaints...including unnecessary use of force, abuse of authority, discourtesy, offensive language, etc., to the Civilian Complaint Review Board," except for those complaints which are "not within the jurisdiction of the Civilian Complaint Review Board," which, "will be referred to the Internal Affairs Bureau Command Center." If the complainant seeks to make the complaint in person, the member of service is required to "1. Interview the complainant 2. Give complainant first copy of Civilian Complaint Report (PD313-154)." Even if a civilian does not want to immediately make a complaint, the receiving member of service is obligated to "Provide the complainant with the first copy of the Civilian Complaint Report."

§ 87(2)(g)

§ 87(2)(g)

Civilian and Officer CCRB Histories

- § 87(2)(b) has been party to one other CCRB complaint and has been named a victim in one allegation (Board Review 03):
 - § 87(2)(b)
- Police Officer Jardine has been a member of the NYPD for 11 years and this is the first CCRB complaint to which she has been a subject.

Mediation, Civil and Criminal Histories

- § 87(2)(b) declined to mediate this complaint.
- As of March 7, 2019, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards to this complaint (Board Review 06).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad No.: _____

Investigator:	_____	_____	_____
	Signature	Print Title & Name	Date

Squad Leader:	_____	_____	_____
	Signature	Print Title & Name	Date

Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date